REMARKS

Claims 1-13 are pending. Claim 11 has been amended to overcome the claim objection, not to overcome the cited art. No new matter is presented.

Claim 11 was objected to due to an informality. This informality has been corrected and withdrawal of this objection is requested.

Claims 1, 2, 5, 7-9 and 13 are rejected under 35 USC 103(a) as being unpatentable over Ida (EP 1022894 A1) in view of Merritt (U.S. Patent No. 6,421,429). This rejection is respectfully traversed.

Claim 1 recites "request means for requesting that a recipient to which the image data stored in the storage device is to be sent designates contents of conversion processes to be performed to the image data." The Examiner has failed to set forth where either Ida or Merritt disclose or suggest this feature. Thus, the Examiner has failed to set forth a prima facie case of obviousness. The Examiner is requested to point out where either Ida or Merritt disclose this feature or withdraw the rejection.

Claims 7, 8 and 13 recite substantially the same feature discussed above in connection with claim 1. Since the Examiner has failed to allege that this feature is disclosed or suggested by the cited art, these claims are allowable for the reasons set forth above.

Claims 2, 5 and 9 are allowable at least due to their respective dependencies. Applicant requests that this rejection be withdrawn.

Claims 3 and 10 are rejected under 35 USC 103(a) as being unpatentable over Ida (EP 1022894 A1) in view of Merritt (U.S. Patent No. 6,421,429) and further in view of Gilmour (U.S. Patent No. 6,647,384). This rejection is respectfully traversed.

Claims 3 and 10 depend, at least indirectly, from claims 1 and 8, respectively. As stated above, the Examiner has failed to set forth a prima facie case of obviousness with respect to claims 1 and 8. Gilmour fails to overcome the deficiencies of Ida and Merritt, and thus claims 3 and 10 are also allowable. Applicant requests that this rejection be withdrawn.

Claims 4 and 11 are rejected under 35 USC 103(a) as being unpatentable over Ida (EP 1022894 A1) in view of Merritt (U.S. Patent No. 6,421,429) and Gilmour (U.S. Patent No. 6,647,384) and further in view of Official Notice. This rejection is respectfully traversed.

Claims 4 and 11 are allowable at least due to their respective dependencies, as set forth above. The Examiner has failed to establish a prima facie case of obviousness with respect to the independent claims, and thus all dependent claims are allowable due to their respective dependencies. Applicant requests that this rejection be withdrawn.

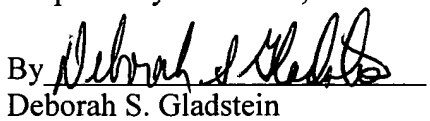
Claims 6 and 12 are rejected 35 USC 103(a) as being unpatentable over Ida (EP 1022894 A1) in view of Merritt (U.S. Patent No. 6,421,429) and further in view of Picoult (U.S. Patent No. 6,654,601). This rejection is respectfully traversed.

As stated above, the Examiner has failed to establish a prima facie case of obviousness with respect to the independent claims, and thus all dependent claims are allowable due to their respective dependencies. Applicant requests that this rejection be withdrawn.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 325772028200.

Dated: July 15, 2005

Respectfully submitted,

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